

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By \_\_\_\_\_

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for  
2 Senate Bill No. 125, Page 20, Section 162.083, Line 19, by inserting after all of said line the  
3 following:

4 ""162.621. 1. The board of education shall have general and supervising control,  
5 government and management of the public schools and public school property of the district in the  
6 city and shall exercise generally all powers in the administration of the public school system therein.  
7 The board of education has all the powers of other school districts under the laws of this state except  
8 as herein provided and shall perform all duties required by general laws of school districts so far as  
9 they are applicable to the public school affairs of the city and are consistent with this law. It shall  
10 appoint the officers, agents and employees it deems necessary and proper and fix their compensation.  
11 The board of education may:

12 (1) Make, amend and repeal rules and bylaws for its meetings and proceedings, for the  
13 government, regulation and management of the public schools and school property in the city, for the  
14 transaction of its business, and the examination, qualification and employment of teachers, which  
15 rules and bylaws are binding on the board of education and all parties dealing with it until formally  
16 repealed;

17 (2) Fix the time of its meetings;

18 (3) Provide for special and standing committees;

19 (4) Levy taxes authorized by law for school purposes;

20 (5) Invest the funds of the district;

21 (6) Purchase and hold all property, real and personal, deemed by it necessary for the  
22 purposes of public education;

23 (7) Build and construct improvements for such purposes, and sell the same;

24 (8) Provide for the gratuitous transportation of pupils to and from schools in cases where by  
25 reason of special circumstances pupils are required to attend schools at unusual distances from their  
26 residences.

27 2. Except as otherwise provided in this subsection, the powers granted in subsection 1 of this  
28 section shall be vested, in the manner provided in section 162.1100, in the special administrative  
29 board of the transitional school district containing the city not within a county if the school district  
30 loses its accreditation from the state board of education. Thereafter, such powers shall [immediately]  
31 revert to the board of directors of the school district [for any period of time for which no transitional  
32 school district containing the city not within a county is in existence] as prescribed in subsection 3 of

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1 section 162.1100. The board of directors of the school district shall, at all times, retain auditing and  
2 public reporting powers.

3 162.1100. 1. There is hereby established within each city not within a county a school  
4 district to be known as the "Transitional School District of (name of city)", which shall be a body  
5 corporate and politic and a subdivision of the state. The transitional school district shall be  
6 coterminous with the boundaries of the city in which the district is located. Except as otherwise  
7 provided in this section and section 162.621, the transitional school district shall be subject to all  
8 laws pertaining to "seven-director districts", as defined in section 160.011. The transitional school  
9 district shall have the responsibility for educational programs and policies determined by a final  
10 judgment of a federal school desegregation case to be needed in providing for a transition of the  
11 educational system of the city from control and jurisdiction of a federal court school desegregation  
12 order, decree or agreement and such other programs and policies as designated by the governing  
13 body of the school district.

14 2. (1) The governing board of the transitional school district shall consist of three residents  
15 of the district: one shall be appointed by the governing body of the district, one shall be appointed by  
16 the mayor of the city not within a county and one shall be appointed by the president of the board of  
17 aldermen of the city not within a county. The members of the governing board shall serve without  
18 compensation for a term of three years, or until their successors have been appointed, or until the  
19 transitional district is dissolved or terminated. Any tax approved for the transitional district shall be  
20 assigned to the governing body of the school district in a city not within a county after dissolution or  
21 termination of the transitional district.

22 (2) In the event that the state board of education shall declare the school district of a city not  
23 within a county to be unaccredited, the member of the governing board of the transitional district  
24 appointed by the governing body of the district as provided in subdivision (1) of this subsection  
25 shall, within ninety days, be replaced by a chief executive officer nominated by the state board of  
26 education and appointed by the governor with the advice and consent of the senate. The chief  
27 executive officer need not be a resident of the district but shall be a person of recognized  
28 administrative ability, shall be paid in whole or in part with funds from the district, and shall have all  
29 other powers and duties of any other general superintendent of schools, including appointment of  
30 staff. The chief executive officer shall serve for a term of three years or until his successor is  
31 appointed or until the transitional district is dissolved or terminated. His salary shall be set by the  
32 state board of education.

33 3. In the event that the school district loses its accreditation, upon the appointment of a chief  
34 executive officer, any powers granted to any existing school board in a city not within a county on or  
35 before August 28, 1998, shall be vested with the special administrative board of the transitional  
36 school district containing such school district [so long as the transitional school district exists, except  
37 as otherwise provided in section 162.621]. Any special administrative board appointed  
38 under this section shall be responsible for the operation of the district until such time that  
39 the district is classified by the state board of education as provisionally accredited for at  
40 least two successive academic years, after which time the state board of education may  
41 provide for a transition pursuant to subsection 4 of section 162.083;

42 4. The special administrative board's powers and duties shall include:

43 (1) Creating an academic accountability plan, taking corrective action in underperforming  
44 schools, and seeking relief from state-mandated programs;

45 (2) Exploration of alternative forms of governance for the district;

46 (3) Authority to contract with nonprofit corporations to provide for the operation of schools;

47 (4) Oversight of facility planning, construction, improvement, repair, maintenance and  
48 rehabilitation;

1 (5) Authority to establish school site councils to facilitate site-based school management and  
2 to improve the responsiveness of the schools to the needs of the local geographic attendance region  
3 of the school;

4 (6) Authority to submit a proposal to district voters pursuant to section 162.666 regarding  
5 establishment of neighborhood schools.

6 5. (1) The provisions of a final judgment as to the state of Missouri and its officials in a  
7 school desegregation case which subjects a district in which a transitional district is located in this  
8 state to a federal court's jurisdiction may authorize or require the governing body of a transitional  
9 school district established under this section to establish the transitional district's operating levy for  
10 school purposes, as defined pursuant to section 163.011, at a level not to exceed eighty-five cents per  
11 one hundred dollars assessed valuation in the district or a sales tax equivalent amount as determined  
12 by the department of elementary and secondary education which may be substituted for all or part of  
13 such property tax.

14 (2) Any other statute to the contrary notwithstanding, no tax authorized pursuant to this  
15 subsection shall:

16 (a) Be subject to any certificate of tax abatement issued after August 28, 1998, pursuant to  
17 sections 99.700 to 99.715; and

18 (b) Effective January 1, 2002, be subject to any new or existing tax increment financing  
19 adopted by a city not within a county pursuant to sections 99.800 to 99.865 except that any  
20 redevelopment plan and redevelopment project concerning a convention headquarters hotel adopted  
21 by ordinance by a city not within a county prior to August 28, 2003, shall be subject to such tax  
22 increment financing.

23 (3) The transitional school district shall not be subject to the provisions of section 162.081,  
24 sections 163.021 and 163.023 with respect to any requirements to maintain a minimum value of  
25 operating levy or any consequences provided by law for failure to levy at least such minimum rate.  
26 No operating levy or increase in the operating levy or sales tax established pursuant to this section  
27 shall be collected for a transitional school district unless prior approval is obtained from a simple  
28 majority of the district's voters. The board of the transitional district shall place the matter before the  
29 voters prior to March 15, 1999.

30 6. (1) The special administrative board established in this section shall develop, implement,  
31 monitor and evaluate a comprehensive school improvement plan, and such plan shall be subject to  
32 review and approval of the state board of education. The plan shall ensure that all students meet or  
33 exceed grade-level standards established by the state board of education pursuant to section 160.514;

34 (2) The special administrative board shall establish student performance standards consistent  
35 with the standards established by the state board of education pursuant to section 160.514 for  
36 preschool through grade twelve in all skill and subject areas, subject to review and approval of the  
37 state board of education for the purpose of determining whether the standards are consistent with  
38 standards established by the state board of education pursuant to section 160.514;

39 (3) All students in the district who do not achieve grade-level standards shall be required to  
40 attend summer school; except that the provisions of this subsection shall not apply to students  
41 receiving special education services pursuant to sections 162.670 to 162.999;

42 (4) No student shall be promoted to a higher grade level unless that student has a reading  
43 ability at or above one grade level below the student's grade level; except that the provisions of this  
44 subsection shall not apply to students receiving special education services pursuant to sections  
45 162.670 to 162.999;

46 (5) The special administrative board established in this section shall develop, implement and  
47 annually update a professional development plan for teachers and other support staff, subject to  
48 review and approval of the state board of education.

1           7. The school improvement plan established pursuant to this section shall ensure open  
2 enrollment and program access to all students in the district, and, consistent with the Missouri and  
3 United States Constitutions, shall give first priority to residents of the city for admission to magnet  
4 schools. The school board shall take all practicable and constitutionally permissible steps to ensure  
5 that all magnet schools operate at full capacity. Students who change residence within the district  
6 shall be allowed to continue to attend the school in which they were initially enrolled for the  
7 remainder of their education at grade levels served by that school, and transportation shall be  
8 provided by the district to allow such students to continue to attend such school of initial enrollment.

9           8. To the extent practicable, the special administrative board shall ensure that per pupil  
10 expenditures and pupil-teacher ratios shall be the same for all schools serving students at a given  
11 grade level.

12           9. The special administrative board shall ensure that early childhood education is available  
13 throughout the district.

14           10. The special administrative board shall ensure that vocational education instruction is  
15 provided within the district.

16           11. The special administrative board shall establish an accountability officer whose duty  
17 shall be to ensure that academically deficient schools within the district are raised to acceptable  
18 condition within two years.

19           12. The transitional school district in any city not within a county shall be dissolved on July  
20 1, 2008, unless the state board determines, prior to that date, that it is necessary for the transitional  
21 district to continue to accomplish the purposes for which it was created. The state board of  
22 education may cause the termination of the transitional school district at any time upon a  
23 determination that the transitional district has accomplished the purposes for which it was established  
24 and is no longer needed. The state board of education may cause the reestablishment of the  
25 transitional school district at any time upon a determination that it is necessary for the transitional  
26 district to be reestablished to accomplish the purposes established in this section. The state board of  
27 education shall provide notice to the governor and general assembly of the termination or  
28 reestablishment of the transitional school district and the termination or reestablishment shall  
29 become effective thirty days following such determination. Upon dissolution of a transitional school  
30 district pursuant to this section, nothing in this section shall be construed to reduce or eliminate any  
31 power or duty of any school district or districts containing the territory of the dissolved transitional  
32 school district unless such transitional school district is reestablished by the state board of education  
33 pursuant to this section." ; and  
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36 Further amend said bill by amending the title, enacting clause, and intersectional references  
37 accordingly.  
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